APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/804,192	03/19/2004	Brig Barnum Elliott	03-4041	6754

32127 7590 09/11/2007		EXAMINER
VERIZON		FIELDS, COURTNEY D
PATENT MANAGEMENT GROUP		
1515 N. COURTHOUSE ROAD, SUITE 500	ART UNIT	PAPER NUMBER
ARLINGTON, VA 22201-2909	2137	

NOTIFICATION DATE	DELIVERY MODE
09/11/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patents@VERIZON.COM

	Application No.	Applicant(s)
Office Action Summary	10/804,192	ELLIOTT, BRIG BARNUM
	Examiner	Art Unit	
	Courtney D. Fields	2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>14 June 2007</u>.

2a)☒ This action is **FINAL.**   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-25 are pending.

Response to Arguments

2.   Applicant's arguments filed 14 June 2007 have been fully considered but they are
not persuasive.

3.   Referring to the rejection of claims 1,13,15,16, and 24, the Applicant contends
that the prior art (Semper et al.) does not disclose, suggest, nor teach receiving a first
message including a first integer; sending a second message including a second
integer, the second message sent in response to the first message; receiving a third
message including data and a third integer, the third integer serving to authenticate the
third message; and sending in response to the third message, a fourth message
including a fourth integer, the fourth message serving to acknowledge receipt of the
third message. The Examiner respectfully disagrees and asserts that Semper et al.
discloses the value of binary number 10 as an indication that the receiving device
contains a new incoming MMU. An MMU is a variable number of bits in length.
Therefore, the first incoming MAC message packet will contain the first integer (i.e.
MMU). (See Column 6, lines 6-48) and Figure 2)

Semper et al. discloses sending a second MAC message packet containing an
acknowledgement of a second MMU previously transmitted by the receiving device. The
control field for the second message is the binary value 01. (See Column 6, lines 49-53
and Figure 2)

Semper et al. discloses sending a third MAC message packet containing an

acknowledgement of a third MMU previously transmitted by the receiving device. The

control field for the third message is the binary value 11. (See Column 6, lines 54-59

and Figure 2

Semper et al. discloses sending a fourth MAC message packet containing an

acknowledgement of a fourth MMU previously transmitted by the receiving device. The

control field for the fourth message is the binary value 00. (See Column 6, lines 60-61

and Figure 2

Semper et al. discloses that a MAC acknowledgment request system may send/receive

two types of acknowledgments: an acknowledgment may be sent just by itself (a "pure"

acknowledgment having control field set to "10"), or it may be "piggybacked" with a new

MMU (control field set to "11"). If the acknowledgment is piggybacked on a new MMU,

the sequence number of the MAC message packet refers to the sequence number of

the new MMU. (See Column 6, lines 62-67 and Column 7, lines 1-3, and Figure 2)

4.   Therefore, rejection of claims 1-25 are maintained in view of the reasons above

and in view of the reasons below.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the

applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6.   Claims 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Semper et al. (US Patent No. 6,546,001)

Referring to the rejection of claims 1,15, 16, and 24, Semper et al. discloses a method, system, and computer-readable medium of medium access control comprising:

a processor (See Column 5, lines 17-22)

a memory (See Column 5, lines 17-22)

receiving a first message including a first integer; (See Column 6, lines 38-47)

sending a second message including a second integer, the second message sent in response to the first message; (See Column 6, lines 48-52)

receiving a third message including data and a third integer, the third integer serving to authenticate the third message, (See Column 6, lines 26-33)

and sending in response to the third message, a fourth message including a fourth integer, the fourth message serving to acknowledge receipt of the third message (See Column 8, lines 52-65)

Referring to the rejection of claims 2 and 17, Semper et al. discloses the claimed limitation wherein using as the first, second, third, and fourth integers, the same value (See Column 10, lines 6-17)

Referring to the rejection of claims 3 and 18, Semper et al. discloses the claimed limitation wherein using, as the same value, a random integer (See Column 6, lines 38-47)

Referring to the rejection of claims 4 and 19, Semper et al. discloses the claimed

limitation wherein using, as the same value, a pseudorandom integer (See Column 6,

lines 48-52)

Referring to the rejection of claims 5 and 20, Semper et al. discloses the claimed

limitation wherein using, as the same value, a time value (See Column 6, lines 26-33)

Referring to the rejection of claims 6 and 21, Semper et al. discloses the claimed

limitation wherein using, as the same value, a time value based on a Global Positioning

System (GPS) (See Column 5 lines 49-55)

Referring to the rejection of claims 7 and 22, Semper et al. discloses the claimed

limitation wherein using, as the first integer, a nonce value, the nonce value being

based on one or more of the following: a random integer, a pseudorandom integer, or a

time value (See Column 6, lines 26-52)

Referring to the rejection of claim 8, Semper et al. discloses the claimed

limitation wherein using, as the first integer, a value that is a function of a nonce value

(See Column 6, lines 53-58)

Referring to the rejection of claim 9, Semper et al. discloses the claimed

limitation wherein using, as the first message, a request to send message (See Column

4, lines 54-67)

Referring to the rejection of claim 10, Semper et al. discloses the claimed

limitation wherein using, as the second message, a clear to send message (See

Column 4, lines 54-67)

Referring to the rejection of claim 11, Semper et al. discloses the claimed

limitation wherein using the first, second, third, and fourth messages as the medium

access control of a wireless network (See Column 4, lines 33-41)

Referring to the rejection of claim 12, Semper et al. discloses the claimed

limitation wherein using, as the first message, a request-to-send message, the request-

to-send message providing media access control (See Column 6, lines 1-25)

Referring to the rejection of claims 13,14, 23, and 25, Semper et al. discloses a

method, system, and computer-readable medium of medium access control in a

wireless network comprising:

a processor (See Column 5, lines 17-22)

a memory (See Column 5, lines 17-22)

receiving a request to send message, the request to send message including a first

integer, sending in response to the received request to send message, a clear to send

message including the first integer and a second integer, receiving a data message

including the second integer, the second integer serving to authenticate the data

message, and sending in response to the received data message, an acknowledgement

message including the first integer (See Column 6, lines 1-25)

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Courtney D. Fields whose telephone number is 571-272-3871. The examiner can normally be reached on Mon - Thurs. 6:00 - 4:00 pm; off every Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on 571-272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

cdf
August 31, 2007

MATTHEW SMITHERS
PRIMARY EXAMINER
Art Unit 2137